Court No.2

Civil Writ Petition No.622 (M/B) of 2002.

Ish Mohan Saklani through its
Director. …..… Petitioner.

Versus

Hemwati Nandan Bahuguna Garhwal
University, Srinagar, Pauri Garhwal
and others. …… Respondents.

…….

Hon'ble P.C.Verma,J.
Hon'ble Irshad Hussain, J.

Heard Sri A.K.Tripathi, learned counsel for the petitioner as well as Sri M.M. Ghildyal, learned counsel for the Hemwati Nandan Bahuguna Garhwal University.

The petitioner is a Society providing security services. The petitioner was engaged by the University to provide security service. However, after review the University came to the decision that now the University shall not avail the services of the security rendered by the petitioner, hence stopped the availing of the security from the petitioner.

The contention of the petitioner is that this decision of the University is arbitrary and the University is State within the meaning of that expression used in Article 12 of the Constitution so that is amenable to the writ jurisdiction under Article 226 of the Constitution. The argument of the learned counsel for the petitioner is that the decision of the University is arbitrary, is misconceived. The question of availing the services of security is a question of satisfaction of the authority concerned. If the University has lost its confidence and the stopped the availing of services of security from the petitioner, it cannot be said that the action of the University is arbitrary.

The writ petition is devoid of merits and is hereby dismissed.

(Irshad Hussain, J.) **(P.C.Verma, J.)**

04.10.2002
P.Singh